



Board of Zoning Appeals

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

OCTOBER 21, 2019

9:30

Calendar No. 19-228: 2270 W. 19 Street

**Ward 3
Kerry McCormack
9 Notices**

West 19 Development LLC., owner, proposes to construct a new 2 story single family house with a detached garage on a 4,422.28 square foot lot in a D1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the minimum lot width for a single family dwelling in a "D" area district is 40 feet and a 33.25' wide lot is proposed. This section also states that the minimum lot area for a single family dwelling in a "D" area district is 4,800 square feet and the appellant is proposing 4,422.25 square feet.
2. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit. (Filed September 12, 2019)

9:30

Calendar No. 19-229: 2039 W. 18 Street

**Ward 3
Kerry McCormack
13 Notices**

West 19 Development LLC., owner, proposes to construct a new 3 story single family house with a attached garage on a 3,840 square foot lot in a D1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that a minimum lot area of 4,800 square feet is required for a single family dwelling and a 3,840 square foot lot area is proposed.
2. Section 357.08 which states that the depth of required rear yard shall be not less than 20 feet or the height of the main building which is 35 feet. Proposed rear yard is less than 20'-0".
3. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit. (Filed September 12, 2019)

9:30

Calendar No. 19-230: 17315 Miles Avenue

**Ward 1
Joseph T. Jones
16 Notices**

Affinity Baptist Church, owner, proposes to build a parking lot in an RA2 Townhouse District. The owner appeals for relief from the strict application of Section 349.13(c) of the Cleveland Codified Ordinances which states that a parking lot in a residence district requires Board of Zoning Appeals approval.(Filed September 12, 2019)

9:30

**Calendar No. 19-231: Appealing City Planning
Commission Decision regarding
4705 Bridge Ave.**

**Ward 3
Kerry McCormack**

B.R. KNEZ HAS REQUESTED A POSTPONEMENT TO NOVEMBER 11 DUE TO A SCHEDULING CONFLICT.

Erin Driscoll Lizak appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the City of Cleveland Planning Commission rendered on August 16, 2019 to approve a townhouse development in a Two-Family Residential District. (Filed September 16, 2019)

9:30

**Calendar No. 19-232: Appealing City Planning
Commission Decision regarding
4705 Bridge Ave.**

**Ward 3
Kerry McCormack**

B.R. KNEZ HAS REQUESTED A POSTPONEMENT TO NOVEMBER 11 DUE TO A SCHEDULING CONFLICT.

Haydee Pagan appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the City of Cleveland Planning Commission rendered on August 16, 2019 to approve a townhouse development in a Two-Family Residential District. (Filed September 16, 2019)

9:30

**Calendar No. 19-233: Appealing City Planning
Commission Decision regarding
4705 Bridge Ave.**

**Ward 3
Kerry McCormack**

B.R. KNEZ HAS REQUESTED A POSTPONEMENT TO NOVEMBER 11 DUE TO A SCHEDULING CONFLICT.

Steven Zamborsky appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the City of Cleveland Planning Commission rendered on August 16, 2019 to approve a townhouse development in a Two-Family Residential District. (Filed September 16, 2019)

9:30

Calendar No. 19-234: 2174 W. 6th Street

**Ward 3
Kerry McCormack
16 Notices**

Akram Boutros, owner, proposes to construct a 2 story addition to an existing single family residence in a B1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the Maximum Gross Floor Area shall not exceed 50 percent of lot size or in this case 1,250 square feet are allowed and the appellant is proposing 1,748 square feet.
2. Section 357.09(b)(2)(D) which states that the required aggregate width of the Interior Side Yards is 6 feet and the appellant is proposing 4 feet. (Filed September 17, 2019)

POSTPONED FROM SEPTEMBER 23, 2019

9:30

Calendar No. 19-187: 1666 West 69 Street

**Ward 15
Matt Zone
8 Notices**

Dean Sigon, owner, proposes to erect a rear addition, a 2 story front balcony, a second floor room addition and a third floor great room addition to existing condemned single family residence in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.23 which states that all Parking spaces shall be placed on the rear half of lot, no parking space shall be within 10 feet of any wall that contains ground floor windows that provides ventilation.
2. Section 355.04(a) which states that the maximum Gross Floor Area shall not exceed 50 percent of lot size or in this case 1,139 square feet and the appellant is proposing 2,030 square feet.
3. Section 357.04 (a) which states that the required Front Yard Setback is 16.6 feet and the appellant is proposing 11 feet and 6 inches.
4. Section 357.08(b)(1) which states that the Required Rear Yard is 24 feet and the appellant is proposing 7 feet for dwelling and 3.1 feet for deck.
5. Section 357.09(2)(B) which states that the Required Interior Side yard is 3 feet and the appellant is proposing 2 feet rear, third floor, front additions . This section also states that the total width of both Side yards shall not be less than 6' and the appellant is proposing 4 feet; the minimum distance between main building on adjoining lots shall not be less than 6 feet and the appellant is proposing 3 feet
6. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit. (Filed July 24, 2019-No Testimony) *SECOND POSTPONEMENT MADE AT THE REQUEST OF CITY PLANNING TO ALLOW FOR TIME FOR DESIGN REVIEW. FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT.*

POSTPONED FROM SEPTEMBER 9, 2019

9:30

Calendar No. 19-188: 3540 W. 117 Street

**Ward 11
Dona Brady
27 Notices**

Neal Assad, owner, proposes to establish use as used car sales and repair shop in a C1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01(b) which states that Motor Vehicle Sales and Repair Shop are not permitted uses in the Local Retail Business District but is first permitted in General Retail District if 100 feet from a residential district per section 343.11 (b)(2)(1) of the Cleveland Codified Ordinances.
2. Section 357.01(c) which states that a front yard setback is required in Local Retail Business District
3. Section 357.13 (b) which states that Parking of motor vehicles is not a permitted front yard setback encroachment. The front yard setback is established by building line of existing residences on W. 117 Street per section 357.06(a)
4. Sections 352.08 through 12 which state that a 10 foot Wide transition strip of at least 75% year round opacity where property abuts residential district at rear and side is required.
5. Section 343.18(d)(e) which states that the driveway width cannot exceed 30 feet and that the distance between two driveways must be at least 30 feet.
6. Section 349.04(f) which states that an Auto Sales lot must provide 25 percent of their gross lot area for customer parking.
7. Note: A separate permit is required for sign; sign detail is not shown. (Filed July 24, 2019-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE COUNCILWOMAN TO ALLOW FOR TIME FOR A COMMUNITY MEETING.*

REINSTATED FROM SEPTEMBER 9, 2019

9:30

Calendar No. 19-186:

4708 Bridge Ave.

Ward 3

Kerry McCormack

16 Notices

Katalin Paroska, owner, proposes to construct a new single family dwelling with an attached garage on a 7,920 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.08 which states that the depth of the required rear yard shall be not less than 20 feet; the proposed rear yard is 12 feet.
2. Section 355.04(a) which states that the maximum gross floor area in a "B" Area District shall not exceed ½ the lot area, or in this case 3,960 square feet and the appellant is proposing 4,036 square feet. (Filed July 26, 2019-No Testimony). *REINSTATED AS IT WAS DISMISSED ON SEPTEMBER 9 DUE TO APPELLANT'S UNEXPLAINED ABSENCE. THE ARCHITECT CITED MISCOMMUNICATION AS THE REASON FOR THE ABSENCE.*

POSTPONED FROM OCTOBER 7, 2019

9:30

Calendar No. 19-117:

2036 West 38 Street

Ward 3

Kerry McCormack

9 Notices

Ruby Kumar, owner, proposes to create 4 concrete parking spaces and new drive apron to existing single family residence in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.23(a) which states that all parking spaces shall be located on rear half of lot at 60 feet.

2. 349.05(a) which states that no parking space shall be located within 10 feet of any wall of a residential building that contains ground floor windows.
3. Section 349.07(c)(1) which states that only one such driveway shall be permitted for each 100 feet of frontage of the lot providing such parking spaces. (Filed May 24, 2019- TESTIMONY TAKEN) *FOURTH POSTPONEMENT MADE AT THE REQUEST OF THE BOARD TO ALLOW TIME FOR THE APPELLANT TO WORK WITH CITY PLANNING. THIRD POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW FOR TIME FOR BLOCK CLUB REVIEW. SECOND POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT. FIRST POSTPONEMENT WAS MADE AT THE REQUEST OF THE DEVELOPMENT CORPORATION TO ALLOW TIME FOR FURTHER COMMUNITY REVIEW.*